

City Clerk File No. Ord. 13-004

Agenda No. 3.A 1st Reading

Agenda No. 4.A 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 13-004

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE SIP AVENUE GATEWAY REDEVELOPMENT PLAN PERMITTING HOUSES OF WORSHIP

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Sip Avenue Gateway Redevelopment Plan at its meeting of March 10, 2004; and

WHEREAS, the Local Redevelopment and Housing Law, (N.J.S.A. 40A:12A-1 et seq.) permits municipalities to adopt and amend regulations dealing with areas declared to be in need of redevelopment; and

WHEREAS, the Municipal Council seeks to advance and promote high quality new construction on un-built lots and junk yards within the Redevelopment Plan; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

WHEREAS, the following amendments to the Sip Avenue Gateway Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of October 2, 2012; and

WHEREAS, the Planning Board voted to recommend adoption of these amendments by the Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the recommended amendments to the Sip Avenue Gateway Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

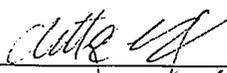
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is hereby directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1


Robert D. Cotter, PP, AICP, Director of Planning

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance/Resolution/Cooperation Agreement:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE SIP AVENUE GATEWAY REDEVELOPMENT PLAN PERMITTING HOUSES OF WORSHIP

2. Name and Title of Person Initiating the Ordinance, Resolution, etc.:

Carl S. Czaplicki, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Program, Project or Plan Proposed in the Ordinance/Resolution:

The amendment adds houses of worship to the list of permitted uses, along with development standards.

4. Reasons (Need) for the Proposed Program, Project, etc.:

To expand possible locations for houses of worship.

5. Anticipated Benefits to the Community:

Development of vacant lots and junk yards along Sip Avenue.

6. Cost of Proposed Program, Project, etc.:

No expense to the city. All work done by in house staff.

7. Date Proposed Program or Project will commence:

Upon approval of the redevelopment plan amendment.

8. Anticipated Completion Date: N/A

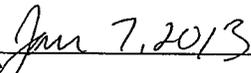
9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning 547-5050
Jeff Wenger, City Planning 547-5453

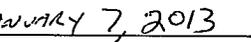
10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director


Date


Deputy Department Director Signature


Date

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord 13-004
 TITLE: 3.A. JAN 23 2013 4.A. FEB 13 2013



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Sip Gateway
 Redevelopment Plan permitting Houses of Worship.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 23 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 13 2013 9-0											
Councilperson <u>BRENNAN</u>				moved, seconded by Councilperson <u>GAUGHAN</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote YVONNE DALCER

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
FEB 13 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 23 2013

Adopted on second and final reading after hearing on FEB 13 2013

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on FEB 13 2013

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan
 Peter M. Brennan, Council President

Date: FEB 13 2013

APPROVED:

Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date: FEB 13 2013

Date to Mayor FEB 14 2013

*Amendment(s):

City Clerk File No. Ord. 13-005

Agenda No. 3.B 1st Reading

Agenda No. 4.B. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 13-005

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE TURNKEY REDEVELOPMENT PLAN**

WHEREAS, the Local Redevelopment and Housing Law, (NJSA 40A:12A-1 et seq.) permits municipalities to adopt and amend regulations dealing with areas declared to be "in need of redevelopment," and "in need of rehabilitation;" and

WHEREAS, the Municipal Council of the City of Jersey City, adopted the Turnkey Redevelopment Plan (the "Plan") in May of 1980 and last amended December 15, 2010; and

WHEREAS, the maps contained within the Plan need to be amended to reflect current block and lot configurations; and

WHEREAS, the permitted uses within the plan should be updated to reflect the existing neighborhood character, and the conditional uses made accessory in order to comply with current land use law; and

WHEREAS, the Jersey City Planning Board, at its meeting of May 15, 2012 held a hearing on the proposed amendments and recommended adoption to the Municipal Council; and

WHEREAS, the Municipal Council has accepted the Planning Board's recommendation; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Turnkey Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Turnkey Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter
Robert D. Cotter, PP, AICP
Director, Division of City Planning

APPROVED AS TO LEGAL FORM
[Signature]
Corporation Counsel

APPROVED: [Signature]
APPROVED: [Signature]
Business Administrator

Certification Required
Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE TURNKEY REDEVELOPMENT PLAN**

2. Name and Title of Person Initiating the Ordinance, etc.:

Carl Czaplicki, Director of Housing, Economic Development, and Commerce

3. Concise Description of the Program, Project or Plan Proposed in the Ordinance:

This ordinance would amend the Turnkey Redevelopment plan to update maps and revise permitted uses to reflect the existing neighborhood character.

4. Reasons for the Proposed Project:

Existing maps in the redevelopment plan are outdated, and this will make them current. Additionally, the amendments have updated the uses to better reflect the character of the neighborhood. Conditional uses have been made accessory, as per current law.

5. Anticipated Benefits to the Community:

Up-to-date maps and uses.

6. Cost of Proposed Program, Project, etc.: \$0.00, all work was done in house

7. Date Proposed Program or Project will commence: Upon Adoption

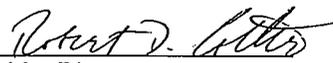
8. Anticipated Completion Date: N/A

9. Person Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, Director, City Planning 547-5050

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.


Division Director

JAN 4, 2013
Date


Department Director Signature

1/4/13
Date

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord 13-005
 TITLE: 3.B. JAN 23 2013 4.B. FEB 13 2013



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Turnkey Redevelopment
 Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 23 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 13 2013 9-0											
Councilperson <u>GAUGHAN</u>				moved, seconded by Councilperson <u>RICHARDSON</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
FEB 13 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 23 2013

Adopted on second and final reading after hearing on FEB 13 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 13 2013

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Peter M Brennan
 Peter M. Brennan, Council President

Date: FEB 13 2013
 APPROVED:

Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

FEB 19 2013

Date _____

Date to Mayor FEB 14 2013

City Clerk File No. Ord. 13-007

Agenda No. 3.D 1st Reading

Agenda No. 4.C. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 13-007

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE CANAL CROSSING REDEVELOPMENT PLAN TO CREATE CONSISTENCY BETWEEN LAND DEVELOPMENT ORDINANCE DEFINITIONS AND PERMITTED USES IN THE PLAN.

WHEREAS, the Municipal Council of the City of Jersey City adopted the Canal Crossing Redevelopment Plan (the "Plan") on January 28, 2009; and

WHEREAS, revised definitions in the Land Development Ordinance make it necessary to clarify, but not change, permitted uses within the Plan; and

WHEREAS, the Planning Board, at its meeting of December 18, 2012, determined that the Canal Crossing Redevelopment Plan would benefit from amendments to clarify, but not change, permitted uses; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Canal Crossing Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Morris Canal Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, PP, FAICP
Director, Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:
Business Administrator

Certification Required

Not Required

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord 13-007
 TITLE: 3.D. JAN 23 2013 4.C. FEB 13 2013



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Canal Crossing Redevelopment Plan to create consistency between Land Development Ordinance definitions and permitted uses in the plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 23 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 13 2013 9-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>GAUGHAN</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
FEB 13 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

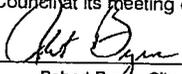
✓ Indicates Vote

N.V.-Not Voting (Abstain)

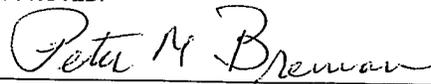
Adopted on first reading of the Council of Jersey City, N.J. on JAN 23 2013

Adopted on second and final reading after hearing on FEB 13 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 13 2013


 Robert Byrne, City Clerk

APPROVED:


 Peter M. Brennan, Council President

*Amendment(s):

Date: FEB 13 2013
 APPROVED:


 Jerramiah T. Healy, Mayor

Date FEB 19 2013

Date to Mayor FEB 14 2013

City Clerk File No. Ord. 13-008

Agenda No. 3.E 1st Reading

Agenda No. 4.D. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 13-008

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING TITL AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REVISING DEFINITIONS

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, Article I of the Land Development Ordinance contains definitions; and

WHEREAS, the existing glossary does not include terms used in Redevelopment plans, and adding them to this section will create a single source of Planning and Zoning definitions; and

WHEREAS, some existing definitions are confusing or outdated, and revising or deleting them is necessary; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

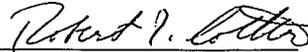
WHEREAS, the Planning Board at its meeting of December 18, 2012 did vote to recommend that the Municipal Council amend the Definitions of the Land Development Ordinance to incorporate terms from Redevelopment Plans; and

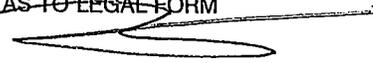
WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

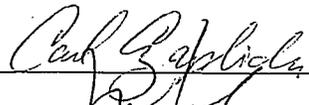
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Robert D. Cotter, AICP, PP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 
APPROVED: 
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE REVISING DEFINITIONS

2. Name and Title of Person Initiating the Ordinance, etc.:

Carl Czaplicki, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Plan Proposed in the Ordinance:

This Ordinance will amend Article I (Definitions) of the Land Development Ordinance (Zoning Ordinance) to incorporate terms used in Redevelopment Plans, eliminated unneeded terms, and clarify other terms. Updating the glossary will make terms consistent city-wide.

4. Reasons (Need) for the Proposed Program, Project, etc.:

Currently, definitions are located in scattered Redevelopment Plans as well as the Land Development Ordinance. By bringing them all together into one location, consistency and ease of use will be possible.

5. Anticipated Benefits to the Community:

Creating a single source of definitions will simplify understanding of Planning and Zoning terms.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

9. Persons Responsible for Coordinating Proposed Program, Project, etc.:

Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.

Robert D. Cotter
Division Director

JAN 7, 2013
Date

Carl Czaplicki
Department Director Signature

1/4/13
Date

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 13-008
 TITLE: 3.E. JAN 23 2013 4.D. FEB 13 2013



Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Land Development
 Ordinance revising definitions.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 23 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 13 2013 9-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote YVONNE BACCER

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted _____			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
FEB 13 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN			
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 23 2013
 Adopted on second and final reading after hearing on FEB 13 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 13 2013
Robert Byrne
 Robert Byrne, City Clerk

APPROVED:
Peter M Brennan
 Peter M. Brennan, Council President

*Amendment(s):

Date: FEB 13 2013
 APPROVED:
Jeremiah T. Healy
 Jeremiah T. Healy, Mayor

Date: FEB 19 2013
 Date to Mayor FEB 14 2013

City Clerk File No. Ord. 13-009

Agenda No. 3.F 1st Reading

Agenda No. 4.E 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 13-009

TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE ARTICLE III, SECTION 345-38 REDEVELOPMENT AREAS TO STRIKE ALL DEFINITIONS FROM REDEVELOPMENT PLANS AND INSTEAD USE THE LAND DEVELOPMENT ORDINANCE GLOSSARY

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001 in Ordinance No. 01-042. The Municipal Council has adopted many amendments since then; and

WHEREAS, the Land Development Ordinance currently contains Article III, Section 345-38 Relating To Redevelopment Areas and their standards; and

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

WHEREAS, the Planning Board at its meeting of December 18, 2012 did vote to recommend that the Municipal Council adopt these provisions which eliminate definitions from individual Redevelopment Plans in favor of using one consistent glossary located in the Land Development Ordinance, and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

Robert D. Cotter, AICP, PP, Director

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

APPROVED:
_____ Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE ARTICLE III, SECTION 345-38 REDEVELOPMENT AREAS TO STRIKE ALL DEFINITIONS FROM REDEVELOPMENT PLANS AND INSTEAD USE THE LAND DEVELOPMENT ORDINANCE GLOSSARY

2. Name and Title of Person Initiating the Ordinance, etc.:

Carl Czaplicki, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Plan Proposed in the Ordinance:

Many of the older Redevelopment Plans include a glossary for terms used within the Plan. In order to create consistency city-wide for zoning and land development terms, it will be beneficial to remove all definitions from Redevelopment Plans and have the Land Development Ordinance glossary as the single source of definitions.

4. Reasons (Need) for the Proposed Program, Project, etc.:

This is needed to make the City's definitions consistent between the Land Development Ordinance and Redevelopment Plans.

5. Anticipated Benefits to the Community:

This amendment will provide consistency of terms city-wide, making development regulations easier to understand.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

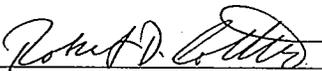
8. Anticipated Completion Date: N/A

9. Persons Responsible for Coordinating Proposed Program, Project, etc.:

Robert D. Cotter, City Planning Director
Nick Taylor, Zoning Officer

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



Division Director

JAN 4, 2013

Date



Department Director Signature

1/4/13

Date

345-38 REDEVELOPMENT AREAS

A. In any area officially declared and delineated as a redevelopment area by duly adopted ordinances, the standards and designations contained in the Redevelopment Plans for such legally adopted plans shall take precedence over any standards contained within this Chapter. The only exception to this provision shall apply to the Site Plan approval requirements of the Planning Board. All redevelopment plan approval procedures within redevelopment plans shall be revised to be consistent with the following procedure and requirements:

1. Prior to commencement of construction, architectural drawings and site plans with detailed specifications for the construction and/or rehabilitation of improvements to the area shall be submitted by the developer to the Planning Board of the City of Jersey City for review and approval so that compliance of such plans with the redevelopment requirements and objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to NJSA 40:55D-1 et. seq. Applications may be submitted for the entire project or in any number of phases. Final Site Plan approval for any phase shall entitle an applicant to building permits.
2. As part of any Final Site Plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to NJSA 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the Jersey City Corporation Counsel. The amount of any such performance guarantees shall be determined by the City Engineer and shall be sufficient to assure completion of on and off site improvements within one (1) year of final site plan approval.

Where the standards and controls of the Plans do not provide alterations to the provisions of this chapter, those provisions of this Chapter that remain unchanged shall prevail.

B. Definitions as found in §345-1 shall apply to all zones and all Redevelopment Plan Areas citywide.

SUMMARY STATEMENT

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE ARTICLE III,
SECTION 345-38 REDEVELOPMENT AREAS TO STRIKE ALL DEFINITIONS FROM
REDEVELOPMENT PLANS AND INSTEAD USE THE LAND DEVELOPMENT ORDINANCE
GLOSSARY**

Many of the older Redevelopment Plans include a glossary for terms used within the Plan. In order to create consistency city-wide for zoning and land development terms, it will be beneficial to remove all definitions from Redevelopment Plans and have the Land Development Ordinance glossary as the single source of definitions.

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord 13-009
 TITLE: 3.F. JAN 23 2013 4.E. FEB 13 2013



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance Article III Section 345-38 Redevelopment Areas to strike all definitions from Redevelopment Plans and instead use the Land Development Ordinance Glossary.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 23 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 13 2013 9-0											
Councilperson <u>SOTTOLANO</u>				moved, seconded by Councilperson <u>LOPEZ</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote JASON BURG

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
FEB 13 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 23 2013
 Adopted on second and final reading after hearing on FEB 13 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 13 2013

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan

Peter M. Brennan, Council President

Date: FEB 13 2013

APPROVED:

Jerramiah T. Healy

Jerramiah T. Healy, Mayor

Date: FEB 19 2013

FEB 14 2013

Date to Mayor _____

City Clerk File No. Ord. 13-010

Agenda No. 3.6 1st Reading

Agenda No. 4.F. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 13-010
**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
TITL AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE AS IT PERTAINS TO BUILDING FAÇADE
TERMINOLOGY IN THE R-1 ONE- AND TWO-FAMILY HOUSING DISTRICT**

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, Article V of the Ordinance establishes Front Yard Setback standards for the R-1 One- and Two-Family Housing District; and

WHEREAS, the Definitions in the Land Development Ordinance includes the term "Front Primary Façade"; and

WHEREAS, there is inconsistent use of this terminology between the Definitions and the R-1 standards which this amendment seeks to correct; and

WHEREAS, the Municipal Council, pursuant to N.J.S.A. 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and

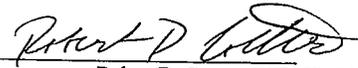
WHEREAS, the Planning Board at its meeting of December 18, 2012 did vote to recommend that the Municipal Council amend the Land Development Ordinance fencing standards; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

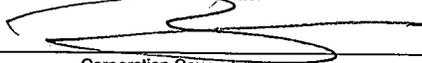
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Robert D. Cotter, AICP, PP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 
APPROVED: 
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET

1. Full Title of Ordinance:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE AS IT PERTAINS TO BUILDING FAÇADE TERMINOLOGY IN THE R-1 ONE- AND TWO-FAMILY HOUSING DISTRICT

2. Name and Title of Person Initiating the Ordinance, etc.:

Carl Czaplicki, Director, Department of Housing, Economic Development, and Commerce

3. Concise Description of the Plan Proposed in the Ordinance:

This Ordinance will amend Article V of the Land Development Ordinance (Zoning Ordinance) to revise terminology used in the R-1 One- and Two-family housing district (§345-40). The Definitions refer to a "Front Primary Façade," and R-1 should be revised to correct this inconsistency.

4. Reasons (Need) for the Proposed Program, Project, etc.:

There is currently an inconsistency between the Definition section of the Land Development Ordinance and the R-1 zone.

5. Anticipated Benefits to the Community:

The proposed amendments are an administrative correction and will clarify the intent of the Land Development Ordinance.

6. Cost of Proposed Plan, etc.:

None

7. Date Proposed Plan will commence:

Upon approval

8. Anticipated Completion Date: N/A

9. Persons Responsible for Coordinating Proposed Program, Project, etc.:

Carl Czaplicki, Director, Dept of HEDC
Robert D. Cotter, City Planning Director
Nick Taylor, Acting Director, Division of Zoning

10. Additional Comments: None

I Certify that all the Facts Presented Herein are Accurate.



Division Director

JAN 4, 2013

Date



Department Director Signature

1/4/13

Date

Proposed 12/4/12

§345-40

R-1 One and Two Family Housing District

A. No Change

B. No Change

C. No Change

D. No Change

E. Bulk Standards for One and Two Family Dwellings.

1. Minimum Lot Size: Two thousand five hundred (2,500) square feet.
2. Minimum Lot Width: Twenty-five (25) feet.
3. Minimum Lot Depth: One hundred (100) feet.
4. Front Yard Setback:

Front yard setback shall match the setback of the **Front Primary Building Façade** (see Article I for definition of **Front Primary Building Façade**) of the closest permitted use on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the blockfront. A current signed and sealed survey of the subject property showing adjacent building setbacks on both sides along with photos showing the entire blockfront to the left and right of the subject property must be provided to the Zoning Officer as part of the application for a building permit.

5. No Change
6. No Change
7. No Change
8. No Change
9. No Change
10. No Change
11. No Change

F. No Change.

G. No change.

H. No Change

I. No Change.

J. No Change.

K. No Change.

L. No Change.

M. No Change.

SUMMARY STATEMENT

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE AS IT PERTAINS TO BUILDING FAÇADE TERMINOLOGY IN THE R-1 ONE- AND TWO-FAMILY HOUSING DISTRICT

This Ordinance will amend Article V of the Land Development Ordinance (Zoning Ordinance) to revise terminology used in the R-1 One- and Two-family housing district (§345-40). The Definitions refer to a "Front Primary Façade," and R-1 should be revised to correct this inconsistency.

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord 13-010
 TITLE: 3.G. JAN 23 2013 4.F. FEB 13 2013



Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance as it pertains to building facade terminology in the R-1 one and two family housing district.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
JAN 23 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
FEB 13 2013 9-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

YVONNE BALCER

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE											
FEB 13 2013 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 23 2013

Adopted on second and final reading after hearing on FEB 13 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 13 2013

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Peter M Brennan
 Peter M. Brennan, Council President

Date: FEB 13 2013

APPROVED:

Jerramiah T. Healy
 Jerramiah T. Healy, Mayor

Date FEB 19 2013

Date to Mayor FEB 14 2013

Date to Mayor _____

City Clerk File No. Ord. 13-011
Agenda No. 3.H 1st Reading
Agenda No. 4.G. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 13-011

TITLE: AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION WITH 109 CHRISTOPHER COLUMBUS, LLC, PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 12901, LOT 6, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 109 CHRISTOPHER COLUMBUS DRIVE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City as an area in need of rehabilitation, is authorized to adopt an ordinance to utilize tax exemptions pursuant to N.J.S.A. 40A:21-1, et seq., the Five (5) Year Exemption and Abatement Law; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the City of Jersey City adopted Ordinance 05-060 (Section 304-1 et seq. of the Municipal Code), as amended by Ordinance 07-146, to allow Five (5) Year Tax Exemptions whereby the Tax Assessor will regard the full and true value or a portion thereof of certain improvements as not increasing the value of certain property for a period of five (5) years, provided the owner's application is approved by the Tax Assessor and by Ordinance of the Municipal Council; and

WHEREAS, pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code, a tax exemption for a newly constructed commercial and multiple dwelling improvements is permitted for a period of five (5) years; and

WHEREAS, 109 Christopher Columbus, LLC, is the owner of a newly constructed five (5) story building with approximately twenty-four (24) residential rental units and approximately seven thousand three hundred thirty-four (7,334) square feet of ground level retail space, located in Block 12901, Lot 6 on the City's Tax Map and more commonly known by the street address of 109 Christopher Columbus Drive, Jersey City, N.J.; and

WHEREAS, the Tax Assessor has certified that 109 Christopher Columbus, LLC, substantially completed the improvements and received a Certificate of Occupancy on October 25, 2012; and

WHEREAS, on or about November 28, 2012, the owner filed an application to tax exempt the newly constructed mixed-use (commercial and residential dwelling) building, a copy of which application is attached hereto; and

WHEREAS, as determined by the assessor on October 1st of the year following completion, the owner proposes to pay the City (in addition to the full taxes on the land, which shall continue to be conventionally assessed and taxed) a tax payment for the new improvements on the property, as follows:

- (a) 2013: the tax year in which the structure will be completed. \$0 taxes;
- (b) 2014: the second tax year, 39% of actual full taxes, estimated to be \$39,314.30;
- (c) 2015: the third tax year, 59% of actual full taxes, estimated to be \$59,475.47;
- (d) 2016: the fourth tax year, 79% of actual full taxes, estimated to be \$79,636.65; and

(e) 2017: the fifth tax year, 80% of actual full taxes, estimated to be \$80,644.71;

WHEREAS, the Tax Assessor has determined that the full and true value of the new improvements will generate an additional tax payment of \$100,805.89 a year upon completion; and

WHEREAS, the applicant has agreed that in the event the Citywide revaluation results in a decrease in the estimated amount of actual taxes otherwise due, then for purposes of calculating a tax payment hereunder and for the five (5) year period, the amount shall be calculated on the higher of the amount estimated hereunder or the actual taxes otherwise due; and

WHEREAS, the application for tax exemption was complete and timely filed; the application was approved by the Tax Assessor and the newly constructed multiple dwelling and commercial space are eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code; and

WHEREAS, upon the expiration of the tax exemption, the total assessment will generate a total tax payment of \$100,805.89; and

WHEREAS, on December 20, 2012, the Tax Exemption Committee recommended the approval of the tax exemption to the Mayor.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The application, attached hereto, for a five (5) year tax exemption for the full and true value of the newly constructed five (5) story building with approximately twenty-four (24) residential rental units and approximately seven thousand three hundred thirty-four (7,334) square feet of ground level retail space, located in Block 12901, Lot 6, and more commonly known by the street address of 109 Christopher Columbus Drive, Jersey City, N.J., is hereby approved.

2. The Mayor or Business Administrator is hereby authorized to execute a tax exemption agreement which shall contain at a minimum, the following terms and conditions:

(a) tax payment on the new improvements shall be:

- (i) Year 1: the tax year in which the structure will be completed. \$0 taxes;
- (ii) Year 2: the second tax year, 39% of actual full taxes, estimated to be \$39,314.30;
- (iii) Year 3: the third tax year, 59% of actual full taxes, estimated to be \$59,475.47;
- (iv) Year 4: the fourth tax year, 79% of actual full taxes, estimated to be \$79,636.65; and
- (v) Year 5: the fifth tax year, 80% of actual full taxes, estimated to be \$80,644.71.

The applicant has agreed that in the event the Citywide revaluation results in a decrease in the amount of actual taxes otherwise due for purposes of calculating a tax payment hereunder; during this five (5) year period, the amount due hereunder shall be calculated on the higher of the amount estimated above or the actual taxes due after the revaluation; and

(b) The project shall be subject to all federal, state and local laws, and regulations on pollution control, worker safety, discrimination in employment, zoning, planning, and building code requirements pursuant to N.J.S.A.40A:21-11(b).

(c) If, during any tax year prior to the termination of the tax agreement, the property owner ceases to operate or disposes of the property, or fails to meet the conditions for qualifying, then the tax which would have otherwise been payable for each tax year shall become due and payable from the property owner as if no exemption and abatement had been granted. The tax collector shall, within 15 days thereof, notify the owner of the property of the amount of taxes due.

(d) With respect to the disposal of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the exemption shall continue, and the agreement shall remain in effect.

(e) At the termination of a tax exemption agreement, the new improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of an agreement, from qualifying for, or receiving the full benefits of, any other tax preferences provided by law.

3. The form of tax exemption agreement is attached hereto as Exhibit B, subject to such modification as the Corporation counsel or Business Administrator deems necessary.

4. The Tax Assessor shall send a copy of the fully executed Financial Agreement will be sent to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of execution pursuant to N.J.S.A. 40a:21-11(d).

A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

C. This ordinance shall take effect at the time and in the manner provided by law.

D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/he
1/14/13

Ed Toloza, Tax Assessor

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required

Not Required

Ordinance of the City of Jersey City, N.J.

ORDINANCE NO. Ord. 13-011

TITLE: 3.H. JAN 23 2013 4.G. FEB 13 2013



An ordinance approving a five (5) year tax exemption with 109 Christopher Columbus, LLC, pursuant to the provisions of N.J.S.A. 40A:21-1, et seq. and Section 304-12 of the Municipal Code for property designated as Block 12901, Lot 6, on the city's tax map and more commonly known by the street address of 109 Christopher Columbus

RECORD OF COUNCIL VOTE ON INTRODUCTION JAN 23 2013 9-0											
Drive.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING FEB 13 2013 9-0											
Councilperson <u>RICHARDSON</u>				moved, seconded by Councilperson <u>SOTTOLANO</u>				to close PH.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP	✓			LAVARRO	✓		
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

*YVONNE CALDER
JASON BURG*

N.V.-Not Voting (Abstain)

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted _____			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO				GAUGHAN				BRENNAN			
DONNELLY				FULOP				LAVARRO			
LOPEZ				RICHARDSON				COLEMAN			

✓ Indicates Vote

N.V.-Not Voting (Abstain)

RECORD OF FINAL COUNCIL VOTE FEB 13 2013 7-2											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
SOTTOLANO	✓			GAUGHAN	✓			BRENNAN	✓		
DONNELLY	✓			FULOP		✓		LAVARRO		✓	
LOPEZ	✓			RICHARDSON	✓			COLEMAN	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on JAN 23 2013

Adopted on second and final reading after hearing on FEB 13 2013

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on FEB 13 2013

Robert Byrne
Robert Byrne, City Clerk

APPROVED:

Peter M. Brennan
Peter M. Brennan, Council President

*Amendment(s):

Date: FEB 13 2013

APPROVED:

Jerramiah T. Healy
Jerramiah T. Healy, Mayor

FEB 19 2013

Date _____

FEB 14 2013

Date to Mayor _____